THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22360 of 2006

Dated: 30-10-2006

Between:
K. Manaiah.

..... PETITIONER

AND

The Revenue Divisional Officer, Vikarabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.22360 of 2006

ORDER:

Respondent No.1 initiated action against the petitioner at the behest of the petitioner's brother, K. Jaganadham, under Section 145 of the Code of Criminal Procedure, 1873 (CrPC). Having regard to the judgment of the civil Court in O.S.No.71 of 1989, respondent No.1 dragged the proceedings and by order dated 02-09-2006 bearing proceedings No.Rc.No.C/1300/2006 directed respondent No.2 to handover possession of the land admeasuring Acs.7.32 guntas in survey No.58 of Tummalapally Village, Marpally Mandal in the presence of respondent No.3. As the same was not done, the petitioner again approached respondent No.1 on 11-09-2006 for redressal. Respondent No.1 is yet to look into the same. Even before that, the petitioner filed present writ petition seeking a direction to the respondents to restore possession to him.

The petitioner has not made his brother a party to the writ petition at whose instance proceedings under Section 145 CrPC were initiated. Therefore, it would not be proper for this Court to express any opinion with regard to the action/inaction on the part of the respondents. However, respondent No.1 may consider the representation dated 11-09-2006 made by the petitioner and give necessary redressal in accordance with her earlier order.

The writ petition, with the above observations and direction, is accordingly disposed of. No costs.

V.V.S.RAO, J

30th October, 2006
ghn